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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HOANG, THAI D	

ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,852	NORRIS ET AL.	
	Examiner	Art Unit	
	Thai D Hoang	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 and 14 are rejected under 35 U.S.C. 102(a) as being unpatentable over Jodoin et al, US Patent No. 5,812,653.

Regarding claims 1 and 14, Jodoin discloses a system and method having a plurality of audio bridges for conferencing. The system comprises the step of receiving a request to start a conference from the end user 28 over a packet network 10 with other participants 30-34 by using a directory number (DN_{conf}) that is associated with a bridge, and then connecting all end users for conferencing; fig. 1, abstract, col. 8, line 15 – col. 10, line 9, col. 5, lines 14-15, col. 11, lines 46-60 (receiving a request to create an audio bridge session over a packet network between a plurality of call terminals using an access number for one of said call terminals that is designated a bridge number; and creating said audio bridge session using said access number).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

(a) Claims 2-5 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jodoin et al, US Patent No. 5,812,653.

Regarding claim 2, Jodoin discloses a chairperson and participants of conference use DN_{conf} to start the conference. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute DN_{conf} as disclosed in Jodoin's system by a telephone number for simplifying system function.

Regarding claims 3 and 15, Jodoin discloses the system receives call requests form the other participants 30-34 to access the conference by DN_{conf} ; col. 10, lines 8-9, col. 11, lines 46-60 (receiving a plurality of call requests with said access number).Also, Jodoin discloses the system comprises a Validation Server 60 that authorizes the various accesses to the service, for example, by validating input codes, i.e. DN_{conf} and a first or a secondary authorization code, received from calls by a chairperson and participants, respectively, of a conference. After validation, the end-users is connected to a conferencing bridge, fig.2, col. 5, lines 55-58, col. 8, lines 15-48, col. 9, lines 13-42 (determining whether said access number is a bridge number using a bridge table; establishing a call connection for each call request if said access number is said bridge number; and combining each call connection to form said audio bridge session). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jodoin's system by eliminating the first authorization code received from a chairperson and the secondary authorization code received from the participants in order to simplify the steps to initiate a conference.

Regarding claims 4 and 16, since the system disclosed by Jodoin is a conference system between the chairperson and participants, therefore, it inherently comprises the steps as recited in claim 4 (receiving a stream of packets representing audio information over each call connection; directing each stream of packets to an intermediate device; and mixing said streams of packets.)

Regarding claim 5, Jodoin does not explicitly disclose the system operates in accordance with a Transport Control Protocol, Internet Protocol, and H.323 specification. However, TCP/IP and H.323 are well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply TCP/IP and H.323 in to Jodoin's system in order to adapt with conventional used in the Network.

(b) Claims 6-9 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jodoin et al, US Patent No. 5,812,653, in view of Witchalls, US Patent No. 6,407,996, hereafter referred to as Jodoin and Witchalls respectively.

Regarding claims 6-7 and 17-18, Jodoin discloses a system and method having a plurality of audio bridges for conferencing. The system comprises the step of receiving a request to start a conference from the end user 28 over a packet network 10 with a participant 30 by using a directory number (DN_{conf}), and then connecting the end users 28 and 30 for conferencing; fig. 1, abstract, col. 8, lines 15-16, col. 9, lines 13-15, col. 10, lines 1-5 (receiving a call request to form a first call connection between a first call terminal and a second call terminal using an access number for said second call terminal; establishing said first call connection). In addition, Jodoin discloses the system

comprises a Validation Server 60 that authorizes the various accesses to the service, for example, by validating input codes, i.e. DN_{conf} , a first and a secondary authorization code, received from calls by a chairperson and participants, respectively, of a conference. After validation, the end-users is connected to a conferencing bridge, fig.2, col. 5, lines 55-58, col. 8, lines 15-48, col. 9, lines 13-42 (determining whether said access number is a bridge number; and creating an audio bridge session in accordance with said determination). Jodoin does not disclose the system receives a second call request to connect a third user with the second user. However, Witchalls discloses in figure 7 a system that operates on a point to point basic, there needs to be a bi-directional link between each telephone and every other telephone in the conference. It indicates that the first user connects with the second user and the second user connects with the third user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute Jodoin 's topology connection between end users for conferencing by Witchalls topology connection.

Regarding claims 8 and 19, since the system disclosed by Jodoin is a conference system between the chairperson and all participants, therefore, it inherently comprises the all of the steps as recited in claim 8 (receiving a first stream of packets over said first call connection; transferring said first stream of packets to a multi-point control unit; establishing said second call connection; receiving a second stream of packets over said second call connection; transferring said second stream of packets to said multi-point control unit; and mixing said first stream of packets and said second stream of packets)

Regarding claim 9, Jodoin discloses the bridges in the system are audio bridges, fig. 1 (wherein said streams of packets represent audio information).

(c) Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, European Patent No. 1091550 A2, in view of Jodoin, US Patent No. 5,812,653, hereafter referred to as Shaffer and Jodoin respectively

Regarding claims 10 and 12, Shaffer discloses the system comprises a gateway 106 to convert audio signal to data packet; a gatekeeper 108 connects to the gateway 106a, and a MCU 104 connected to the gatekeeper 108 and gateway 106 to establish the conference (a gateway to convert audio information to packets; a gatekeeper connected to said gateway; and a multi-point control unit (MCU) connected to said gatekeeper and said gateway). Shaffer does not disclose that the gatekeeper has a bridge table, which has information indicating whether the access number is also a bridge number. However, Jodoin discloses the system comprises a Validation Server 60 that authorizes the various accesses to the service, for example, by validating input codes, received from calls by a chairperson and participants, respectively, of a conference, fig.2, col. 5, lines 55-58, col. 8, lines 15-48, col. 9, lines 13-42 (gatekeeper having a bridge table, said bridge table having an access number for a call terminal and information indicating whether said access number is also a bridge number). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt bridge information disclosed by Jodoin into Shaffer's system in order to secure the conference.

Regarding claim 11, Shaffer discloses that the network is a packet network;

therefore, it could be operated with TCP/IP. Also, Shaffer disclosed that the system is adapted with the Recommendation H.323 (fig. 2, col. 1, line 13; col. 3, lines 10-42)

Regarding claim 13, Jodoin teaches the system comprises a Configuration Server 66 that provides the Audio conferencing Bridge Allocation Server 56 with network topology information that can be used to allocate the bridges to optimize the use of network transmissions. It indicates that the bridge information could be modify such that the use of network transmissions is optimized corresponding with the network topology (wherein said gatekeeper further comprises a user interface to modify said bridge table). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the method of modifying bridge information disclosed by Jodoin into Shaffer's system in order to improve quality of service, since the time delay is reduced.

Response to Arguments

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The following references are cited to further show the state of the art with respect to the application:

US Patent Application Publication 2002/0085697 A1, Simard et al discloses "Apparatus and method for packet-based media communications."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-18:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang

CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 3/7/05